

**ZACHARY S. GOODRICH**  
Executive Director  
and Legal Counsel



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## IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

### MEMORANDUM

**Date:** November 28, 2022

**To:** Members of the General Assembly, Legislative Services Agency

**From:** Zach Goodrich, Executive Director and Legal Counsel

**Subject:** 2023 Legislative Request

The Iowa Ethics and Campaign Disclosure Board urges the General Assembly to pass legislation to require affirmative consent for recurring campaign contributions. On November 17, 2022, the Board voted unanimously to pre-file legislation which requires:

- (1) affirmative consent for recurring contributions;
- (2) that campaigns cancel recurring contributions upon request from the contributor, and;
- (3) campaigns that accept recurring contributions without affirmative consent to refund the contributor.

The Board believes that requiring affirmative consent for recurring contributions will protect contributors from unscrupulous fundraising tactics. The passive nature of pre-checked boxes to authorize recurring contributions allows for campaigns to raise funds from unsuspecting contributors because affirmative consent is not required.

Often, those who make a one-time campaign contribution are unaware they have also opted in to making recurring contributions. These recurring contributions, some of which happen as frequently as every week, can be difficult to cancel once discovered.

In 2021, the Federal Election Commission unanimously voted to recommend that Congress take action to require affirmative consent for recurring contributions to federal committees.<sup>1</sup>

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<sup>1</sup> <https://www.fec.gov/updates/commission-transmits-2021-legislative-recommendations/>

In 2022, California became the first state to require affirmative consent for recurring contributions to their state committees; the bill was passed without a single dissenting vote before it was signed by Governor Gavin Newsom.<sup>2</sup>

Other states are anticipated to pass similar changes to their campaign finance laws. The Board strongly believes Iowa should lead on this issue to help protect contributors and the public's confidence in the integrity of our campaign finance laws.

I look forward to visiting with you about this legislation and hope we can earn your support to make this important change to our campaign finance laws. In the meantime, please contact our office with any questions or concerns.

Sincerely,



Zach Goodrich

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<sup>2</sup> <https://trackbill.com/bill/california-assembly-bill-775-contribution-requirements-recurring-contributions/2035042/>